PTO/SB/21 (08-03) Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL **FORM** 

(to be used for all correspondence after initial filing)

**Application Number** 10/743,885 Filing Date December 22, 2003 First Named Inventor Jason OTTO, et al. Art Unit 3738 **Examiner Name** Attorney Docket Number

Total Number of Pages	s in This Submission	Attor	ney Docket Number	10557/294282					
ENCLOSURES (check all that apply)									
Fee Transmittal F	form	Drawing(s)		After Allowance Communication to Group					
Fee Attached		Licensing-rela	ted Papers	Appeal Communication to Board of Appeals and Interferences					
Amendment / Rep	oly	Petition		Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)					
After Final		Petition to Col		Proprietary Information					
Affidavits/deç	laration(s)		rney, Revocation prespondence Address	Status Letter					
Extension of Time	e Request	Terminal Disc	laimer	Other Enclosure(s) (please identify below):					
Express Abandon	nment Request	Request for R	efund of CD(s)	1. Form PTO/SB/08 (two sheets) 2. 41 publications					
Information Disclo	osure Statement			,,,,					
Certified Copy of Priority Document(s)		Remarks							
Response to Missing Parts/ Incomplete Application			_						
Response to Missing Parts under 37 CFR 1.52 or 1.53									
	SIGNAT	URE OF APPLI	CANT, ATTORNEY, O	R AGENT					
Firm or Individual name	Aleta A. Mills, Reg. No	. 47,794							
Signature Aluta		a. mil	ils.						
Date	4/28/0	a. mil							
CERTIFICATE OF MANUANC									

#### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Angela M. Rossi		1 1	
Signature	Ungela m. Casai	Date	629	24

This collection of information is required by \$7 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:

Jason OTTO, et al.

**SERIAL NO.:** 

10/743,885

Group Art Unit:

3738

FILED:

December 22, 2003

**EXAMINER:** 

FOR:

HIGH PERFORMANCE KNEE PROSTHESES

ATTORNEY, DOÇKET NO.: 10557/294282

DATE: 6 28 04

Mail Stop Amendment Commissioner for Patents P. O. Box 1450 Alexandria, Virginia 22313-1450

### INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with Rules 56, 97 and 98 of the Rules of Practice in Patent Cases (37 C.F.R. §§ 1.56, 1.97, and 1.98), the publications listed on the modified Form PTO/SB/08 are enclosed with this submission for consideration by the Examiner.

Submission of the references provided in this Information Disclosure is not intended to constitute an admission that any reference referred to herein is prior art for this invention unless specially designated as such. Also, in accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists.

This Information Disclosure Statement is being filed pursuant to 37 C.F.R. 1.97(b), before issuance of a first Office action on the merits. Applicant believes that no fee is due for

submission and consideration of this paper. The Commissioner is authorized to charge any fees associated with this filing or credit any overpayment to Deposit Account No. 11-0855.

Respectfully submitted,

Aleta A. Mills

Reg. No. 47,794

KILPATRICK STOCKTON LLP Suite 2800, 1100 Peachtree Street Atlanta, Georgia 30309-4530 (404) 815-6500

PTO/SB/08A (10-01) Van Zile, et al.Approved for use through 10/31/2002. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

ubstitute for form 1449A/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Complete if Known 10/743,885 Application Number December 22, 2003 Date Filed: Jason OTTO First Named Inventor Group Art Unit 3738 **Examiner Name** 

(use as many sheets as necessary)

10557/294282 Sheet of Attorney Docket Number

		Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
Examine r Initials *	Cite No.1	Number - Kind Code <sup>2</sup> (if known)	MM-D/D-YYYY/			
		4,213,209	07/22/1980	Insall, et al.		
		4,249,270	02/10/1981	Bahler, et al.		
		4,834,758	05/30/1898	Lane, et al.		
		5,007,933	04/16/1991	Sidebotham, et al.		
		5,116,375	05/26/1992	Hofmann		
		5,147,405	09/15/1992	Van Zile, et al.		
		5,236,461	08/17/1993	Forte		
		5,282,867	02/01/1994	Mikhail		
		5,330,534	07/19/1994	Herrington, et al.		
		5,358,527	10/25/1994	Forte		
		5,370,699	12/06/1994	Hood, et al.		
~		5,370,701	12/06/1994	Finn		
		5,639,279	06/17/1997	Burkinshaw, et al.		
<del></del>		5,766,257	06/16/1998	Goodman, et al.		
		5,782,921	07/21/1998	Colleran, et al.		
		5,800,552	09/01/1998	Forte		
		5,800,100	10/20/1998	Kester, et al.		
		5,824,102	10/20/1998	Buscayret		
-		5,879,392	03/09/1999	Mc		
		5,906,643	0525/1999	Walker		
		5,997,577	12/07/1999	Herrington, et al.		
		6,080,195	06/27/2000	Colleran, et al.		
		6,165,223	12/26/2000	Metzger, et al.		
		6,203,576 B1	03/20/2001	Afriat, et al.		
		6,206,926 B1	03/27/2001	Pa		
-		6,264,697 B1	07/24/2001	Walker		
		6,325,828 B1	12/04/2001	Dennis, et al.		
,				15.		
Exan Signa				Date Considered		

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

	Officer are	rapelwork ite	3666	OTTACE OF 1998, THE PERSONS	<u> </u>	unca to respond to		monnadori dine	SO IL GOTTALINO A TANA CITA	3 35713 57713		
Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT						Complete if Known						
					A	Application Number  Date Filed:  First Named Inventor		10/743,885				
					0			December 22, 2003				
					F			Jason OTTO				
						Group Art Unit		3738				
(use as many sheets as necessary)					_ E	xaminer Name						
Sheet	2	of	of 2		Α	Attorney Docket Number		10557/294282				
				FORI	EIGN	PATENT DO	CUMENT	S				
Examiner Initials*	Cite No.1	Cite No. 1 Country Code3 - Number4 - Kind Code5 (if known)			blication Date M-DD-YYYY	Applican	Patentee or at of Cited ument	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T⁵			
		EP 0 94	1 7	'19 A2	09	9/15/1999	Eur	оре				
		2 701 3			30	3/19/1994	Fra	ince				
		EP 0 92	3 9	16 A1	06	5/23/1999	Eur	оре				

03/29/2000

01/12/2000

05/19/1999

06/10/1999

07/03/1996

09/11/1998

03/31/1995

03/01/2001

06/24/1999

10/21/1998

09/15/1999

Europe Europe

Europe

**WIPO** 

**United Kingdom** 

France

France

WIPO

**WIPO** 

United Kingdom

United Kingdom

United Kingdom

EP 0 988 840 A1

EP 0 970 667 A1

EP 0 916 321 A2

WO 99/27872

2 760 352

2 710 258

GB 0 296 443 A

WO 01/13825 A1 WO 99/30649

GB 2 324 249 A

2 335 145 A

1 409 150

## 10/08/1975 OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Date

Considered

Examiner

Signature